

Senate File 455 - Introduced

SENATE FILE 455
BY COMMITTEE ON EDUCATION

(SUCCESSOR TO SF 74)

A BILL FOR

1 An Act relating to the period of ineligibility for
2 participation in interscholastic athletic contests and
3 competitions by high school students and requesting a
4 report.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 256.46, Code 2011, is amended to read as
2 follows:

3 **256.46 Rules for participation in extracurricular activities**
4 **by certain children.**

5 1. The state board shall adopt rules that permit a child
6 who does not meet the residence requirements for participation
7 in extracurricular interscholastic contests or competitions
8 sponsored or administered by an organization as defined in
9 section 280.13 to participate in the contests or competitions
10 immediately if the child is duly enrolled in a school, is
11 otherwise eligible to participate, and meets one of the
12 following circumstances or a similar circumstance: the
13 organization determines participation is in the best interest
14 of the child; the child has been adopted; the child is placed
15 under foster or shelter care; the child is living with one of
16 the child's parents as a result of divorce, separation, death,
17 ~~or other change in the child's parents' marital relationship,~~
18 or pursuant to other court-ordered decree or order of custody,
19 unless it is determined by an organization as defined in
20 section 280.13 that the child's enrollment is for primarily
21 athletic purposes; the child is a foreign exchange student,
22 unless undue influence was exerted to place the child for
23 primarily athletic purposes; the child has been placed in a
24 juvenile correctional facility; the child is a ward of the
25 court or the state; the child is a participant in a substance
26 abuse or mental health program; or the child is enrolled in an
27 accredited nonpublic high school because the child's district
28 of residence has entered into a whole grade sharing agreement
29 for the pupil's grade with another district. The rules shall
30 permit a child who is otherwise eligible to participate, but
31 who does not meet one of the foregoing or similar circumstances
32 relating to residence requirements, to participate at any level
33 of competition other than the varsity level.

34 2. The period of ineligibility from varsity-level
35 competition for a child who does not meet the residence

1 requirements or one of the circumstances listed in subsection 1
2 shall be the child's first one hundred eighty school days of
3 enrollment.

4 3. For purposes of this section and section 282.18,
5 "varsity" means the highest level of competition offered by
6 one school or school district against the highest level of
7 competition offered by an opposing school or school district.

8 Sec. 2. Section 282.18, subsection 11, Code 2011, is amended
9 to read as follows:

10 11. A pupil who participates in open enrollment for purposes
11 of attending a grade in grades nine through twelve in a school
12 district other than the district of residence is ineligible
13 to participate in varsity interscholastic athletic contests
14 and athletic competitions during the pupil's first ~~ninety~~
15 one hundred eighty school days of enrollment in the district
16 except that the pupil may participate immediately in a varsity
17 interscholastic sport if the pupil is entering grade nine for
18 the first time and did not participate in an interscholastic
19 athletic competition for another school or school district
20 during the summer immediately following eighth grade, if the
21 district of residence and the other school district jointly
22 participate in the sport, if the sport in which the pupil
23 wishes to participate is not offered in the district of
24 residence, if the pupil chooses to use open enrollment to
25 attend school in another school district because the district
26 in which the student previously attended school was dissolved
27 and merged with one or more contiguous school districts under
28 section 256.11, subsection 12, if the pupil participates in
29 open enrollment because the pupil's district of residence has
30 entered into a whole grade sharing agreement with another
31 district for the pupil's grade, or if the parent or guardian
32 of the pupil participating in open enrollment is an active
33 member of the armed forces and resides in permanent housing
34 on government property provided by a branch of the armed
35 services. A pupil who has paid tuition and attended school, or

1 has attended school pursuant to a mutual agreement between the
2 two districts, in a district other than the pupil's district
3 of residence for at least one school year is also eligible to
4 participate immediately in interscholastic athletic contests
5 and athletic competitions under this section, but only as a
6 member of a team from the district that pupil had attended.
7 For purposes of this subsection, "*school days of enrollment*"
8 does not include enrollment in summer school. For purposes of
9 this subsection, "*varsity*" means the same as defined in section
10 256.46.

11 Sec. 3. ATHLETIC ORGANIZATION REVIEW. The department of
12 education shall request any organization, as defined in section
13 280.13, which has sufficient information or experience with
14 such situations, to review the matrix developed and utilized
15 by the department to determine athletic eligibility situations
16 caused by school district dissolutions, reorganizations, and
17 whole grade sharing; review statutes and administrative rules
18 relating to athletic eligibility; and submit recommendations
19 for changes to statute or administrative rule in a report
20 to the department. The department shall summarize the
21 recommendations and submit such summary to the general assembly
22 not later than December 1, 2011.

23 EXPLANATION

24 This bill extends to 180 school days the period of
25 varsity athletic ineligibility applicable to a high school
26 student who does not meet the residence requirements for
27 extracurricular interscholastic contests and competitions, or
28 who is participating in open enrollment, permits a child to
29 participate in such contests or competitions immediately if
30 an athletic organization determines participation is in the
31 child's best interest, and provides for a review of athletic
32 eligibility issues by an athletic organization.

33 Currently, the period of ineligibility is 90 school days.

34 Current Code also permits a child to participate in contests
35 or competitions immediately if the child is living with one of

1 the child's parents as a result of divorce, separation, death,
2 or other change in the child's parents' marital relationship,
3 or pursuant to other court-ordered decree or order of custody.
4 The bill modifies the provision by adding that such a child
5 can participate immediately unless an athletic organization
6 determined that the child's enrollment is primarily for
7 athletic purposes.

8 The bill requires the department of education to request
9 any athletic organization which has sufficient information
10 or experience to review the matrix developed and utilized by
11 the department to determine athletic eligibility situations
12 caused by school district dissolutions, reorganizations, and
13 whole-grade sharing; review statutes and administrative rules
14 relating to athletic eligibility; and submit recommendations
15 for changes to statute or administrative rule in a report to
16 the department, which the department must summarize and submit
17 to the general assembly not later than December 1, 2011.